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February 16, 2018

VIA ELECTRONIC FILING

Honorable Mae A. D'Agostino
United States District Court
Northern District of New York
James T. Foley U.S. Courthouse
445 Broadway
Albany, NY 12207

Re: Nick's Garage, Inc. v. Progressive Casualty Insurance Co., et al
Case No.: 5:12-cv-00777

Dear Judge D'Agostino:

As requested by the Court, I am writing on behalf of the parties to confirm that the mediator's filing regarding settlement is accurate, except for the "mandatory" description of the mediation. The parties are preparing a settlement agreement and hope to have it finalized by the end of next week, after which the stipulation of dismissal will be filed.

Respectfully submitted,

BOUSQUET HOLSTEIN PLLC

/s/Cecelia R.S. Cannon

Cecelia R.S. Cannon

CRC/mtg

cc.: Kymberly Kochis, Esq. (via CM/ECF)

ALSO ADMITTED TO CO BAR *

ALSO ADMITTED TO DC BAR **

ALSO ADMITTED TO MA & CO BAR ***

ALSO ADMITTED TO CA BAR ****

ALSO ADMITTED TO IL BAR *****

ALSO ADMITTED TO FL & PA BAR †

ALSO ADMITTED TO FL BAR ‡‡

ALSO ADMITTED TO MA BAR †††

ALSO ADMITTED TO DC, FL & NJ BAR ‡

NOT FOR SERVICE OF PROCESS ♦

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